



1fw 1609

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stanley F. Barnett, et al.

Serial No.: 10/510,068

Case No.: 21075YP

Filed: October 4, 2004

For: METHOD OF TREATING CANCER

Art Unit:
1609

Examiner:
D. C. Sutton

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Sir:

Applicants have herewith submitted a corrected section of the non-compliant amendment in response to the notice mailed on September 14, 2007. Applicants believe this substitute section complies with 37 CFR 1.121. Applicants respectfully note that the corrected section provided includes the complete listing of all pending claims as well as the proper status identifier. Applicants further note that the "Remarks" section from the previously submitted Amendment (dated August 2, 2007) has not been resubmitted with this Response.

Applicants believe no additional fees are due but the Commissioner is authorized to charge any fees required in connection with this amendment to Merck Deposit Account No. 13-2755.

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

BY:

Stephanie Riccardi

DATE: 9.18.07

Respectfully submitted,

By:

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Date: September 18, 2007